

AMENDED IN ASSEMBLY APRIL 20, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 490**

**Introduced by Assembly Member Parra**

February 16, 2005

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An act to amend Section 20112 of the Public Contract Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

AB 490, as amended, Parra. Formal bids: notices.

Existing law requires that a school district that seeks to let a contract involving a specified minimum expenditure for the purchase of equipment, materials, or supplies to be furnished, sold, or leased to the school district, or involving a specified minimum expenditure on a public project, to publish a notice calling for bids on the contract in a newspaper of general circulation, stating the work to be done or materials or supplies to be furnished and the time and place where the bids would be opened. Existing law also allows the notice to be posted on the district's Web site or through an electronic portal.

This bill would also require the notice calling for bids to be mailed to all construction trade journals, as provided. *By requiring school districts to mail the notice, the bill would impose a state-mandated local program.*

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state,

reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 20112 of the Public Contract Code is  
2 amended to read:

3 20112. For the purpose of securing bids the governing board  
4 of a school district shall publish at least once a week for two  
5 weeks in some newspaper of general circulation published in the  
6 district, or if there is no ~~such paper~~ *paper of general circulation*  
7 *published in the district*, then in some newspaper of general  
8 circulation, circulated in the county, and may post on the  
9 district's Web site or through an electronic portal, a notice calling  
10 for bids, stating the work to be done or materials or supplies to be  
11 furnished and the time when and the place and the Web site  
12 where bids will be opened. Whether or not bids are opened  
13 exactly at the time fixed in the public notice for opening bids, a  
14 bid shall not be received after that time. The governing board of  
15 the district may accept a bid that was submitted either  
16 electronically or on paper. The notice calling for bids shall also  
17 be mailed to all construction trade journals specified in Section  
18 22036 *for the county or counties in the attendance area of the*  
19 *district*. The notice shall be mailed at least 30 calendar days  
20 before the date of opening the bids.

21 SEC. 2. If the Commission on State Mandates determines that  
22 this act contains costs mandated by the state, reimbursement to  
23 local agencies and school districts for those costs shall be made  
24 pursuant to Part 7 (commencing with Section 17500) of Division  
25 4 of Title 2 of the Government Code.